

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

LISYTTE STALLWORTH
4346 W. 61st Street
Cleveland, Ohio 44144

Plaintiff,

vs.

GOLD'S GYM
6700 Biddulph Avenue
Brooklyn, Ohio 44144

Defendant.

: CASE NO.

: JUDGE

: COMPLAINT

Plaintiff Lisytt Stallworth, for her Complaint against Defendant, states and alleges as follows:

COUNT I

1. On May 1, 2017 at approximately 6:40 pm Plaintiff Lysette Stallworth was walking through Defendants facility when she was struck by a medicine ball and injured.
2. The direct and proximate cause of the incident referred to above was Defendant's negligence.
3. At the above stated date and time Plaintiff was a paid member of Defendants facility.



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4. At the date and time of the alleged incident an employee of defendant, Gold's Gym, was conducting a training session with another member of defendant's facility.

5. Defendant's employee was instructing the member on how to throw a medicine ball.

6. Defendant's employee became distracted during the training session and was not aware that the member she was instructing had thrown the medicine ball back to her.

7. As a direct and proximate result of Defendant's employee's negligence, Plaintiff, Lysette Stallworth sustained serious injuries, including, but not limited to her left knee and low back.

8. As a direct and proximate result of Defendant, Gold's Gym's negligence Plaintiff, Lysette Stallworth was personally injured; incurred medical care and treatment, and is reasonably certain to incur the same into the indefinite future; sustained severe pain, suffering, anxiety and a loss of ability to perform the usual activities of daily living and is reasonably certain to sustain additional pain, suffering, anxiety, and the inability to perform the usual activities of life in the future, incurred medical and other expenses, and all of her injuries are permanent in nature.

Wherefore, Plaintiff Lysette Stallworth demands judgment against Defendant in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, attorney fees, costs, and such other relief to which she may be entitled.

Plaintiff also hereby demands a jury trial in the above captioned matter

RESPECTFULLY SUBMITTED,

MUSCA & MIRALIA

/s/ Benedict P. Miralia
BENEDICT P. MIRALIA (0039594)
526 E. Superior Ave., #353
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Counsel for Plaintiff

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CASE NO.
CV19914480

D1 FX

SUMMONS NO.
38690888

Rule 4 (B) Ohio

Rules of Civil
Procedure

SUMMONS

LISYTTE STALLWORTH
VS
GOLDS GYM

PLAINTIFF
DEFENDANT

GOLDS GYM
4001 MAPLE AVENUE
SUITE 200
DALLAS TX 75219-0000

Said answer is required to be served on:



Plaintiff's Attorney

BENEDICT P MIRALIA
526 SUPERIOR AVE., EAST

SUITE 353
CLEVELAND, OH 44114-0000

Case has been assigned to Judge:

KELLY ANN GALLAGHER
Do not contact judge. Judge's name is given for
attorney's reference only.

DATE SENT
May 22, 2019

NAILAH K. BYRD
Clerk of the Court of Common Pleas

Betty M. Bufant

By _____
Deputy



You have been named defendant in a sums
complaint (copy attached hereto) filed in Cuyahoga
County Court of Common Pleas, Cuyahoga County
Justice Center, Cleveland, Ohio 44113, by the
plaintiff named herein.

You are hereby summoned and required to answer
the complaint within 28 days after service of this
summons upon you, exclusive of the day of service.

Said answer is required to be served on Plaintiff's
Attorney (Address denoted by arrow at left.)

Your answer must also be filed with the court
within 3 days after service of said answer on
plaintiff's attorney.

If you fail to do so, judgment by default will be
rendered against you for the relief demanded in the
complaint.

COMPLAINT FILED 04/25/2019

